

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WISCONSIN

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VINCENT C. LEWIS,

Petitioner,

v.

Case No. 05-C-504

GREG GRAMS,

Respondent.

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**ORDER**

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Plaintiff has moved for an order to release the amount of the appeal filing fee from his release account. In support of his motion, plaintiff cites *Spence v. McCaughtry*, 46 F. Supp. 2d 861 (E.D. Wis. 1999), which held that release accounts are trust accounts within the meaning of 28 U.S.C. § 1915(b)(1). In accordance with the court's Order of August 2, 2005,

**IT IS ORDERED** that the Secretary of the Wisconsin Department of Corrections or his designee shall collect from petitioner's "release account" or "release savings account" the \$255.00 balance of the appeal filing fee, in accordance with 28 U.S.C. § 1915(b)(1). The payment shall be forwarded to the clerk of this court and clearly identified by the case name and the number assigned to this action.

Dated this 15th day of August, 2005.

s/ William C. Griesbach  
William C. Griesbach  
United States District Judge